

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31448 of 2024

Arising Out of PS. Case No.-143 Year-2024 Thana- Excise P.S. District- Siwan

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Amitesh Singh, Gender-Male, Aged about 21 years, Son of Vishwakarma Singh, Resident of Village -Sumerpur, P.S. -Mairwa, District -Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Javed Aslam, Advocate

For the Opposite Party/s : Mr.Md. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 24-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Siwan Excise Sadar P.S. Case No. 143 of 2024 instituted for the offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act.

3. As per the prosecution case, total 117 liters of illicit country made liquor has been recovered from a motorcycle bearing registration no. BR29AB6276 and petitioner was apprehended on the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He has falsely been implicated in this case by the police merely on suspicion. He has no concern with the alleged recovered liquor and motorcycle.



Nothing incriminating article has been recovered from his conscious possession. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. He is languishing in judicial custody since 11.03.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and submissions made on behalf of the petitioner as well as period of custody of the petitioner, let the above named petitioner be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Exclusive Special Excise Court No.II, Siwan in connection with Siwan Excise Sadar P.S. Case No.143 of 2024.

7. The trial Court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen) days from the date of receipt of a copy of this order. However, it is made clear that *if the charge-sheet has not been submitted* then the petitioner shall be released on bail on above conditions and he shall be present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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